



Australian Government
Civil Aviation Safety Authority

**Civil Aviation Amendment Order (No. R48) 2004
as amended**

made under regulation 5.55 of the *Civil Aviation Regulations 1988*.

This compilation was prepared on 14 January 2015 taking into account amendments up to *Civil Aviation Order (Flight Crew Licensing) Repeal and Amendment Instrument 2014 (No. 1)*.

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1 Name of Order

This Order is the Civil Aviation Amendment Order (No. R48) 2004.

2 Commencement

This Order commences on gazettal.

3 Replacement of section 48.1 of the Civil Aviation Orders

Section 48.1 of the Civil Aviation Orders is omitted and a new section substituted as set out in Schedule 1.

Schedule 1 Substitution of section 48.1 of the Civil Aviation Orders

Section 48.1

Flight time limitations — pilots

1A Definitions

In this Order:

aerial application operation has the meaning given by regulation 61.010 of the *Civil Aviation Safety Regulations 1998*.

1 Limitations where the flight crew includes not more than 2 pilots for other than aerial application operations

- 1.1 Each pilot of an aircraft in which the flight crew includes not more than 2 pilots engaged in other than aerial application operations shall be subject to the limitations specified in these Orders.
- 1.2 A tour of duty or period of reserve time at home shall be preceded by a rest period on the ground of at least:
 - (a) 9 consecutive hours embracing the hours between 10 pm and 6 am local time; or
 - (b) 10 consecutive hours.
- 1.2.1 Notwithstanding the provisions of paragraph 1.2 of this subsection, when an aircraft is scheduled to arrive at such a time that the pilots would be free of

duty not later than 10 pm local time and the aircraft delayed beyond that time, the 9 hour rest period prescribed may be commenced up to 11 pm local time, provided the succeeding tour of duty does not exceed 6 hours.

- 1.3 An operator shall not roster a pilot for a tour of duty in excess of 11 hours.
- 1.4 An operator shall not roster a pilot to fly in excess of 8 hours flight time in any 1 tour of duty.
- 1.5 A tour of duty already commenced in accordance with paragraph 1.3 of this subsection may be extended to 12 hours.
- 1.6 The flight time in a tour of duty already commenced in accordance with paragraph 1.4 of this subsection may be extended to 9 hours.
- 1.7 Where extensions have been made in accordance with paragraph 1.5 of this subsection a pilot shall receive a rest period on the ground of not less than:
 - (a) 9 consecutive hours which shall include the hours between 10 pm and 6 am local time, plus 1 additional hour for each 15 minutes or part thereof by which his or her tour of duty time exceeded 11 hours; or
 - (b) 10 consecutive hours plus 1 additional hour for each 15 minutes or part thereof by which his or her tour of duty time exceeded 11 hours.
- 1.8 Where extensions have been made in accordance with paragraph 1.6 of this subsection a pilot shall receive a rest period on the ground of not less than:
 - (a) 9 consecutive hours which shall include the hours between 10 pm and 6 am local time, plus 1 additional hour for each 15 minutes or part thereof by which his or her flight time exceeded 8 hours; or
 - (b) 10 consecutive hours plus 1 additional hour for each 15 minutes or part thereof by which his or her flight time exceeded 8 hours.
- 1.9 Where a tour of duty already commenced in accordance with paragraphs 1.3 and 1.4 of this subsection exceeds 12 hours or the flight time exceeds 9 hours the pilot shall have, at the completion of the tour of duty, a rest period of at least 24 consecutive hours.
- 1.10 Where a pilot has completed 2 consecutive tours of duty, the aggregate of which exceeds 8 hours flight time or 11 hours duty time, and the intervening rest period is less than:
 - (a) 12 consecutive hours embracing the hours between 10 pm and 6 am local time; or
 - (b) 24 consecutive hours, if not embracing the hours between 10 pm and 6 am local time;he or she shall have a rest period on the ground of at least 12 consecutive hours embracing the hours between 10 pm and 6 am local time or 24 consecutive hours, prior to commencing a further tour of duty.
- 1.11 Notwithstanding the provisions of paragraph 1.10 of this subsection, when an aircraft is scheduled to arrive at such a time that the pilot would be free of duty not later than 10 pm local time and the aircraft is delayed beyond that time, the 12 hour rest period prescribed in paragraph 1.10 may be commenced up to 11 pm provided that the succeeding tour of duty does not exceed 6 hours.
- 1.12 A pilot shall not commence a flight and an operator shall not roster the pilot for a flight unless during the 7 days period terminating co-incident with the

termination of the flight he or she has been relieved from all duty associated with his or her employment for at least 1 continuous period embracing the hours between 10 pm and 6 am on 2 consecutive nights.

- 1.13 An operator shall not roster a pilot to fly when completion of the flight will result in the pilot exceeding 90 hours of duty of any nature associated with his or her employment in each fortnight standing alone. For the purpose of this paragraph, duties associated with a pilot's employment include reserve time at the airport, tours of duty, dead head transportation, administrative duties and all forms of ground training. The operator shall designate the day on which the first of the fortnightly periods shall start.
- 1.14 A pilot shall not fly and an operator shall not roster him or her to fly as a flight crew member in excess of 900 hours in 365 consecutive days.
- 1.15 A pilot shall not fly and an operator shall not roster him or her to fly in excess of 100 hours in 30 consecutive days.
- 1.16 A pilot shall not fly and an operator shall not roster him or her to fly in excess of 30 hours in 7 consecutive days.
- 1.17 Notwithstanding the provisions of paragraphs 1.3, 1.4 and 1.10 of this subsection, a charter or aerial work operator may roster a pilot to fly an aircraft of less than 5 700 kg maximum take-off weight, and a pilot may fly such an aircraft, in operations other than I.F.R. operations during a tour of duty in excess of 11 hours but not exceeding 15 hours, subject to the following provisions:
 - (a) the operator shall ensure that a period of not less than 4 consecutive hours, during which the pilot shall be free of all duties associated with his or her employment, is available to the pilot within the tour of duty.
 - (b) the operator shall not roster a pilot to fly, and a pilot shall not fly, 2 consecutive tours of duty each of which is in excess of 11 hours unless a rest period of at least 24 hours is provided at the conclusion of the first tour of duty.
 - (c) the operator shall not roster a pilot and a pilot shall not fly for more than 2 tours of duty each in excess of 11 hours within 6 consecutive days.
 - (d) the operator shall not roster a pilot and a pilot shall not fly for more than 6 hours of flight instruction on any tour of duty which is in excess of 11 hours.

2 Limitations where the flight crew includes not more than 2 pilots on aircraft engaged in aerial application operations

- 2.1 The limitations in this subsection apply only while a pilot is engaged in aerial application operations.
- 2.2 A pilot shall not fly and an operator shall not require him or her to fly in excess of 1 200 hours in 365 consecutive days.
- 2.3 A pilot shall not fly and an operator shall not require him or her to fly in excess of 170 hours in 28 consecutive days.
- 2.4 An operator must not roster a pilot for a tour of duty of more than 14 hours.
- 2.5 A pilot may extend by up to 1 hour a tour of duty already commenced when:
 - (a) it is operationally necessary; and
 - (b) the pilot feels mentally and physically fit for the extension.

- 2.6 A tour of duty must be followed:
- (a) if the tour of duty is not more than 10 hours, by a rest period of at least 8 hours; or
 - (b) if the tour of duty is more than 10 hours, by a rest period of at least 10 hours.
- 2.6.1 A pilot may reduce by 1 hour a rest period applicable under paragraph 2.6, when:
- (a) it is operationally necessary; and
 - (b) the pilot feels mentally and physically fit to resume duty.
- 2.7 A pilot engaged in aerial application operations shall have a continuous period of at least 36 hours in any 14 consecutive days completely free from all duties associated with his or her employment.
- 2.8 A pilot may extend a tour of duty that contains a rest period of 2 or more consecutive hours at suitable sleeping accommodation by up to 100% of the rest time taken up to a maximum extension of 3 hours.
- Example*
- A pilot is rostered for a duty period of 14 hours, which consists of 2 four hour periods on active duty separated by a rest period of 6 hours at suitable sleeping accommodation, for a total of 14 hours. Under paragraph 2.8, the duty period may be extended by 100% of the rest time up to 3 hours (the specified maximum) to a total of 17 hours.
- 2.9 A pilot may extend a tour of duty which contains a rest period of 3 or more consecutive hours at suitable resting accommodation by up to 50% of the rest time taken up to a maximum extension of 2 hours.
- Example*
- A pilot is rostered for a duty period of 14 hours, which consists of 2 periods on active duty of 4 and 5 hours separated by a rest period of 5 hours at suitable resting accommodation, for a total of 14 hours. Under paragraph 2.9, the duty period may be extended by up to 50% of the rest time up to 2 hours (specified maximum) to a total of 16 hours.
- 2.10 If a rest period exceeds 6 continuous hours at suitable resting accommodation, the pilot's cumulative duty time may be reduced by up to 50% of the rest time taken.
- Example*
- A pilot is rostered for a duty period of 14 hours which consists of 2 periods on active duty of 3 hours and 4 hours separated by a rest period of 7 hours at suitable resting accommodation, for a total of 14 hours. When time spent on tours of duty is being calculated for the purposes of paragraphs 2.12 and 2.13, the time referred to is usually the actual time spent on duty. However if, as in the above case there is a rest period of more than 6 hours, the duty time is taken to be reduced by 50% of the rest period in accordance with paragraph 2.10. Therefore, in the example provided, the time spent on duty when calculating the cumulative duty period is taken to be 10.5 hours.
- 2.11 An operator who requires a pilot to take a rest period at suitable resting accommodation or suitable sleeping accommodation, for the purposes of paragraph 2.8, 2.9 or 2.10, must ensure that accommodation of that kind is provided to the pilot if it is not otherwise available.

- 2.12 Time spent on tours of duty in any 3 consecutive days must not exceed 44 hours.
- 2.13 Time spent on tours of duty in any 7 consecutive days must not exceed 98 hours.
- 2.14 A pilot must not operate an aircraft unless, at the commencement of the duty period:
 - (a) the pilot has had the required minimum rest period free of duty; and
 - (b) the pilot has had the opportunity to take adequate sustenance; and
 - (c) the pilot is free of any fatigue, illness, injury, medication or drug which could affect the safe exercise of his or her licence privileges.
- 2.15 An operator must not require or permit a pilot to operate an aircraft unless, at the commencement of the duty period:
 - (a) the pilot has had the required minimum rest period free of duty; and
 - (b) the pilot has had the opportunity to take adequate sustenance; and
 - (c) the pilot is free of any fatigue, illness, injury, medication or drug which could affect the safe exercise of his or her licence privileges.
- 2.16 Following commencement of a duty period, an operator must ensure that the pilot has access to adequate sustenance for the pilot's physical well being during any duty period.
- 2.17 An operator must not require or permit a pilot to operate an aircraft if, during the duty period, the operator becomes aware that the pilot is affected by any physical or psychological condition which could impair the safe exercise of the pilot's licence privileges.

3 Limitations where the flight crew includes 3 or more pilots

- 3.1 For the purpose of this subsection a flight crew of 3 or more pilots shall include:
 - (a) at least 2 pilots licensed to act as pilot in command of the aircraft for the particular operation; or
 - (b) a complement comprising at least 1 pilot licensed to act as pilot in command and the remaining pilots possessing qualifications approved by CASA for the operation.
- 3.2 An operator shall ensure that bunks or berths of a type approved by CASA are provided for resting flight crew members.
- 3.3 The pilot in command shall allocate rest and duty periods appropriate to the flight as planned and any variation of such allocation shall only be made at his or her discretion.
- 3.4 Before commencing a tour of duty a pilot shall have a rest period of not less than 12 consecutive hours.
- 3.5 An operator shall not roster a pilot for a tour of duty in excess of:
 - (a) 16 hours for turbo-jet type aircraft; and
 - (b) 18 hours in other types of aircraft, except where specifically varied by CASA.
- 3.6 An operator shall not roster a pilot in excess of a total of 14 hours of active duty in any tour of duty.

- 3.7 An operator shall not roster a pilot in excess of 8 consecutive hours of active duty in any tour of duty.
- 3.8 Provided the provisions of section 48.0, subsection 1 are observed, a tour of duty, commenced in accordance with paragraph 3.5 of this subsection, may be extended at the discretion of the pilot in command as follows:
 - (a) turbo-jet aircraft, 20 hours; and
 - (b) other types of aircraft, except where specifically varied by CASA, 22 hours.
- 3.9 Following a tour of duty a pilot shall have a rest period of not less than 12 consecutive hours except that, after operating under the provisions of paragraph 3.12 of this subsection and where a tour of duty exceeded 11 hours or the flight time exceeded 8 hours a pilot shall have a rest period of not less than 24 hours before being rostered for duty under the provisions of subsection 1.
- 3.10 When a pilot has completed a tour of duty in excess of 18 hours he or she shall:
 - (a) have a rest period of at least 18 hours before the next tour of duty; or
 - (b) not exceed 18 hours on following tour of duty.
- 3.11 Following 50 hours of duty of any nature associated with his or her employment, a pilot shall have a rest period of not less than 24 consecutive hours before commencing a tour of duty.
- 3.12 Notwithstanding the provision of paragraph 3.2 of this subsection, where a tour of duty is restricted to not more than 14 hours, a seat approved by CASA as capable of providing adequate rest, may be provided for resting flight crew members in lieu of bunks or berths.
- 3.13 A pilot shall not fly and an operator shall not roster him or her to fly in excess of 100 hours in 30 consecutive days.
- 3.14 A pilot shall nor fly and an operator shall not roster him or her to fly in excess of 900 hours in 365 consecutive days.
- 3.15 The operator and the pilot in command shall ensure that crew complements rostered for a tour of duty, enable operations to be conducted within the limits of this Order and, in particular, with the provision of section 48.0, subsection 1.

Notes to Civil Aviation Order 48.1

Note 1

The Civil Aviation Order (in force under the *Civil Aviation Regulations 1988*) as shown in this compilation comprises Civil Aviation Order 48.1 amended as indicated in the Tables below.

Table of Orders

Year and number	Date of notification in <i>Gazette</i> / registration on FRLI	Date of commencement	Application, saving or transitional provisions
CAO 2004 No. R48	8 December 2004 (F2005B00876)	8 December 2004 (s. 2)	
CAO (Flight Crew Licensing) Repeal and Amendment Instrument 2014 (No. 1)	FRLI 29 August 2014 (F2014L01177)	1 September 2014 (s. 2)	Sections 3 and 31 (Table A)

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
s. 48.1	rs. CAO 2004 No. R48
subs. 1A	ad. F2014L01177
subs. 1 heading	am. F2014L01177
subs. 1	am. F2014L01177
subs. 2 heading	am. F2014L01177
subs. 2	am. F2014L01177

Table A Application, saving or transitional provisions

Sections 3 and 31 of Civil Aviation Order (Flight Crew Licensing) Repeal and Amendment Instrument 2014 (No. 1) read as follows:

3 Definitions

- (1) In this instrument:

continued authorisation has the meaning given by regulation 202.261 of the *Civil Aviation Safety Regulations 1998 (CASR 1998)*.

new authorisation has the meaning given by regulation 202.261 of CASR 1998.

- (2) A reference in this instrument to a Civil Aviation Order identified by a specified number is taken to include a reference to the section of the Civil Aviation Orders with that number.

Note Some existing legislative instruments are referred to as a Civil Aviation Order followed by a number. Other instruments are referred to as a section of the Civil Aviation Orders. For

consistency, in this instrument, all such instruments are referred to as a Civil Aviation Order followed by a number. For example, a reference to Civil Aviation Order 40.2.2 is taken to include a reference to section 40.2.2 of the Civil Aviation Orders.

31 Transitional — application of Civil Aviation Orders

The Civil Aviation Orders apply to a continued authorisation as if it were the equivalent new authorisation.